



ORDINARY COUNCIL

PUBLIC MINUTES

TUESDAY 22 JANUARY 2013 AT 9.00 AM

Council Members >>

The Mayor, Councillor Jenny Hill
Councillor Suzanne Blom
Councillor Colleen Doyle
Councillor Gary Eddiehausen APM
Councillor Pat Ernst
Councillor Ray Gartrell
Councillor Jenny Lane
Councillor Anthony Parsons
Councillor Trevor Roberts
Councillor Vern Veitch
Councillor Les Walker

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Goals and Strategies of Townsville City Council >>

Corporate Plan >>

Goal 1 - Economic Sustainability. A robust, diverse and sustainable economy

The outcomes we want to achieve:

A robust, prosperous economy which provides opportunities for business and investment.

- 1.1 Promote investment and assist the development of emergent industries and businesses.
- 1.2 Engage with regional, state and national stakeholders in the creation of a strong and resilient economy.
- 1.3 Increase the city's profile through marketing initiatives, the delivery of festivals and events and support for other community based activities.
- 1.4 Promote the city's distinctive physical character and strong sense of place and identity.

An integrated approach to long term planning which supports a growing city.

- 1.5 Develop an integrated approach to the long term provision of infrastructure.
- 1.6 Undertake city and regional planning to reflect the aspirations of the community and create an attractive place to live, work and visit.

Infrastructure that meets community needs.

- 1.7 Provide and maintain timely and sustainable infrastructure.
- 1.8 Provide asset management practices which reflect the community's expectations regarding service levels and its ability to pay.

Goal 2 - Environmental Sustainability. Our environment is valued, protected and healthy

The outcomes we want to achieve:

Effective management and protection of our natural and built environment through sustainable growth and development.

- 2.1 Provide strategic and integrated planning and policy development to sustain our environment.
 - 2.2 Effective management, protection and conservation of our natural environment.
 - 2.3 Preserve and protect places of natural and heritage significance.
- ##### **Demonstrated environmental leadership.**
- 2.4 Develop and implement an Integrated Water Management Strategy.
 - 2.5 Develop and implement innovative waste management and recycling strategies.
 - 2.6 Minimise greenhouse gas emissions from council's infrastructure, operations and services through sustainable energy practices.
 - 2.7 Partner with the community and industry stakeholders to develop and promote environmental protection and sustainability initiatives.
 - 2.8 Develop and implement environmental compliance programs and promote community awareness.

Climatic effects on our community, natural and built environment are minimised.

- 2.9 Mitigate and communicate the risks and effects of climate change.

Goal 3 - Social Sustainability - Enhancement of opportunities for social engagement and wellbeing

The outcomes we want to achieve:

A safe and healthy community.

- 3.1 Improve the safety and well-being of the community through the management of public health risks.
- 3.2 Plan for and provide active and healthy lifestyle opportunities.
- 3.3 Coordinate council's response to natural disasters to minimise the effects on the community.

A cohesive and self-reliant community.

- 3.4 Foster the development of the city as a learning community.
- 3.5 Encourage and facilitate the participation and integration of residents into the community.
- 3.6 Strengthen community networks to collaboratively deliver community services.

A community with access to services and facilities.

- 3.7 Plan for community facilities and services to meet the community's current and future needs.
- 3.8 Provide community services and facilities to meet the needs of the community.
- 3.9 Provide community support services to meet the needs of the community.

A creative community.

- 3.10 Facilitate and showcase artistic learning and expression through performances, exhibitions, activities and programs.
- 3.11 Support community participation in cultural activities, programs and events.

Goal 4 - Responsible Governance - Responsible leadership where decisions are made in a considered and transparent manner

The outcomes we want to achieve:

Transparent and accountable local government.

- 4.1 Develop and implement council's Corporate Governance Framework to ensure strategic planning, compliance with all legislation, policies, Codes of Practice and Standards.
- 4.2 Implement robust risk management strategies.
- 4.3 Encourage community participation and ensure that the community is informed and educated about matters that impact their lives.

A competent, productive and contributing workforce.

- 4.4 Foster a culture of employee health, safety and well-being.
- 4.5 Implement human resource strategies to become an employer of choice.
- 4.6 Foster diversity, merit and equity, reward and recognition in the workplace.

Excellence in customer service delivery and organisational management.

- 4.7 Provide responsive and efficient systems to enable the delivery of council services.
- 4.8 Establish and manage long term financial planning to ensure the future sustainability of council.

MINUTES

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MINUTES	COUNCIL MEETING
DATE	Tuesday 22 January 2013 at 9.00 AM
ITEMS	1 TO 11
PRESENT	The Mayor, Councillor Jenny Hill Councillor Vern Veitch Councillor Suzanne Blom Councillor Colleen Doyle Councillor Gary Eddiehausen APM Councillor Pat Ernst Councillor Ray Gartrell Councillor Jenny Lane Councillor Anthony Parsons Councillor Trevor Roberts Councillor Les Walker

Opening of Meeting and Announcement of Visitors

The Mayor, Councillor J Hill opened the meeting at 9.00 am.

Prayer

Friar Giles Setter of the Catholic Church delivered the opening prayers.

Apologies and Leave of Absence

There were no apologies or leave of absences.

Confirmation of Minutes of Previous Meetings:

It was MOVED by Councillor P Ernst, SECONDED by Councillor G Eddiehausen:

That the minutes of the Ordinary Council meeting held 18 December 2012 be confirmed.

CARRIED UNANIMOUSLY

Disclosure of Interests

There were no conflicts of interest or material personal interests.

Mayoral Minute

There was no Mayoral Minute.

Petitions

There were no petitions.

Deputations

There were no deputations.

Officers Reports

1 Outcome of Appeal No. 2145/2012, Daly TJ v TCC, 59 Mutarnee School Road, Mutarnee

REPORT TO COUNCIL

Authorised by Director Planning and Development
Department Development Governance
Date 17 December 2012
Application AP12/0014, 13000003, 59 Mutarnee School Road, Mutarnee
Daly TJ v TCC

Executive Summary

29 May 2012 an appeal was filed in the Planning and Environment Court by the applicant against council's decision to refuse an application for a development permit for reconfiguring a lot.

This matter was heard in the Planning and Environment Court at Brisbane 2 November 2012. A Judgment (by consent) was presented that the appeal be allowed and the application be approved subject to terms and conditions imposed by Townsville City Council and the former Department of Environment and Resource Management (concurrence agency response).

This matter is now at an end.

Officer's Recommendation

That council receive this report.

Council Decision

It was MOVED by Councillor A Parsons, SECONDED by Councillor L Walker:

That the officer's recommendation be adopted.

CARRIED UNANIMOUSLY

**2 MI12/0043 MCU (Impact) Multiple Dwelling (Existing Duplex plus 2 Additional Units) 23
Caroline Street, Aitkenvale**

REPORT TO COUNCIL - PLANNING APPLICATION

Authorised by Director Planning and Development
Department Development Assessment
Date 08 January 2013

Address 23 Caroline Street, Aitkenvale
Applicant/Owner i4architecture Pty Ltd/Body Corporate for Candida Community Title Scheme
Description Multiple Dwelling (Existing Duplex plus 2 Additional Units)

Executive Summary

A Development Permit for Material Change of Use of Premises (Impact Assessment) - Multiple Dwelling has been received from Applicant >> I4architecture Owner >> AD Mallett and JA Baxter – MI12/0043 2516034 and has been recommended for **Approval**. The application received one (1) properly made submission and one (1) late submission objecting to the proposed development.

Officer's Recommendation

That council approve application MI12/0043 for a development permit for Multiple Dwelling (Existing Duplex plus 2 Additional Units) under section 243 of the *Sustainable Planning Act 2009* on land described as Lot 6 RP 712221, more particularly 23 Caroline Street, Aitkenvale subject to the following conditions -

DEVELOPMENT PERMIT

**MATERIAL CHANGE OF USE
MULTIPLE DWELLING (EXISTING DUPLEX PLUS TWO ADDITIONAL UNITS)**

SCHEDULE OF CONDITIONS

1. Site Layout

- a) The proposed development must generally comply with drawing(s) as referenced in the table below and attached as stamped "Approved Subject to Conditions", except as otherwise specified by any condition of this approval.

DRAWING NAME	DRAWING NO.	ISSUE DATE	STAMP DATE
Overall Site Plan	1287 WD-00 A	03/09/12	04/09/12
Site Plan	1287 WD-01 B	03/09/12	04/09/12
Existing Duplex – Floor Plans	1287 WD02 A	03/09/12	04/09/12
Elevations	1287 WD-03 A	03/09/12	04/09/12
Proposed New 2x2 Bedroom Unit – Ground Floor Plan	1287-WD-04 A	03/09/12	04/09/12
Proposed new 2x2 Bedroom Unit – First Floor Plan	1287 WD-05 A	03/09/12	04/09/12
Elevations	1287 WD-06A	03/09/12	04/09/12

- b) The proposed development must comply with all conditions of this approval prior to commencement of the use.
- c) The proposed development must comply with all Planning Scheme requirements as applying at the date of this application, except as otherwise specified by any condition of this approval.

2. Defined Use

The use hereby permitted must be conducted at all times in conformity with the associated Planning Scheme definition.

3. Building Materials, Colours and Enhancements

- a) Prior to the issue of a Development Permit for Building Work, the developer must submit to, and be approved in writing by Council details of the external building materials and colours, including roof colours, to be used as part of this development for each unit.

In particular all buildings and structures associated with the use must be constructed from materials and painted an appropriate colour that is sympathetic to the surrounding built form, does not cause excessive glare and achieves a high level of visual integration with the surrounding environment.

- b) The developer must submit to, and be approved in writing by Council details of external enhancements to the existing duplex and front fence. This is to include details of the proposed changes that include:
 - Split system air-conditioning;
 - The paling type, colours and finish of the front fence including letterbox detail; and
 - The colour and render of existing block wall screens at entrances to the existing Duplex.

4. Lighting

The developer must ensure all internal and external lighting is fitted with shades and erected in a manner that ensures that adjoining premises and roads are not affected.

5. Property Numbering

Effective property numbers must be erected at the premises prior to the commencement of the use and be maintained to the satisfaction of the Council.

The site identification numbers should be of reflective material, maintained free from foliage and other obstructions, and be large enough to be read from the street.

6. Drying Facilities

The developer must provide adequate clothes drying facilities. Where applicable clothes drying facilities must be screened from any street or adjacent property.

7. Letterboxes

The developer must ensure the location of the letter boxes on site is sufficient to cater for the units and is designed in such a way that enhances community safety through discouraging crime and anti-social behaviour.

Note: A body corporate letterbox will be required where units will be strata titled.

8. Screen Fencing

The developer must provide a visual screen between the site and any adjoining land occupied by a residential building or any adjoining land contained in a Residential precinct in accordance with *City Plan Policy 2 Section 4 – Screen Fencing*.

Notwithstanding the above, with the written consent of the proprietor of any adjoining land, the screen on the boundary shared with that neighbour may consist of other materials or lesser height or no fencing. For such a variation the developer must submit to and be approved by Council details of the alternative screen together with the written consent of the applicable adjoining owner prior to a Development Permit for Building Work being issued.

Unless written consent is obtained from the affected adjacent property owner, the developer must not construct a fence adjacent to the property boundary where it impedes the maintenance and serviceability of an existing boundary fence.

Furthermore consultation with adjoining property owners is essential so an amicable result is achieved in respect to the removal or retention of any existing adjoining fence.

The screen must be erected/planted prior to the commencement of the use and maintained thereafter to the satisfaction of the Council.

9. Screening of Plant and Utilities

- a) Plant and utilities including air-conditioners must not be visible from the street.
- b) The aesthetic screens must be installed prior to the commencement of the use and must be maintained thereafter to the satisfaction of Council.

10. Storage of Materials and Machinery

All materials and machinery to be used during the construction period are to be wholly stored on the site, unless otherwise approved by Council.

11. Refuse Facilities

Refuse collection arrangements must be provided by the developer so as to achieve the requirements of the Multiple Dwelling Code, in accordance with *City Plan Policy 2 - Development Standards, Section 8 - Provision for Refuse Services*. In particular,

- a) The resident of each unit is responsible for the storage of their mobile garbage (wheelie) bins including recycling bins. The developer must provide storage areas that are suitably paved, with a hose cock fitted in close proximity.
- b) An adequate hard stand area with sufficient space to accommodate all bins for collection is to be made available along Caroline Street for the collection of mobile garbage (wheelie) bins and recycling bins (collected bi weekly). When development is operational, please contact Environmental Health Services on 4727 9003 to commence refuse service.
- c) A minimum overhead clearance of 4200mm must be provided for refuse collection. Access for the collection of the mobile garbage (wheelie) bins is not to be impeded by any overhead obstructions such as trees, wires or other structures. This minimum height clearance is to be maintained at all times.
- d) All waste generated as a result of the demolition of existing building or structures, and construction of the premises is to be effectively controlled and contained entirely within the boundaries of the site before disposal. All waste is to be disposed of in accordance with the Environmental Protection (*Waste Management*) Regulation 2000.

12. Car Parking

- a) All car parking facilities, associated ramps and driveways must be constructed in accordance with Council Standards and as detailed in the latest amendment of the Australian/New Zealand Standard AS/NZ 2890 and must be maintained thereafter to the standard.
- b) The minimum car parking classifications for off-street carparking applicable to this development are as per Table 1.1 in AS/NZS 2890.
- c) The driveway, manoeuvring areas, car parking areas and paths must all be constructed of:
 - * exposed aggregate concrete; or
 - * interlocking pavers; or
 - * other alternative aesthetically pleasing materials to be approved by Council prior to the issue of a Development Permit for Building Works.
- d) The layout of the on-site car parking spaces must be designed to ensure that all vehicles entering and leaving the site may do so in a forward direction.
- e) In this instance, one (1) dedicated car washing bay within a visitor car park is to be provided on site prior to the commencement of the use. Details must be submitted to and approved by Council prior to the issue of a Development Permit for Building Works. The bay is to be designed and constructed in accordance with the following:
 - * imperviously paved
 - * provided with a hose cock
 - * graded to a central drain incorporating a silt trap
 - * fitted with a roof or automatic control device that prevents the ingress of stormwater to sewers.

13. Stormwater Drainage

Prior to the issue of a Development Permit for Building Works, the developer must submit a detailed stormwater design to Council for Compliance Assessment. This design must include certification of stormwater drainage arrangements by an appropriately qualified and experienced Registered Professional Engineer of Queensland (RPEQ) and must address the following requirements:

- a) The development site must be graded so that it is free draining. All runoff from storms naturally falling into this development site (including roof runoff) must be collected within the property boundaries and discharged to the lawful point of discharge being Caroline Street or as agreed upon by Council.
- b) The developer must ensure that no ponding of stormwater occurs on adjacent allotments and that no stormwater formerly flowing onto their development site is diverted onto other neighbouring allotments.
- c) The developer must ensure that the post development discharge of stormwater from the subject land does not exceed pre-development peak flows.
- d) Overland flow paths and underground drainage must be designed so as not to directly or indirectly cause nuisance to a downstream or adjoining property.
- e) Following the completion of any works for the purposes of stormwater drainage, a stormwater drainage certificate from a Registered Professional Engineer of Queensland (RPEQ) must be submitted to and endorsed by Council. The stormwater drainage certificate must verify that the completed stormwater works associated with the proposed use has been constructed in accordance with the approved design.

14. Relocation of Utilities

The developer must be responsible for any relocation and/or alteration to any public utility installation required as a result of any works carried out in connection with this development at no cost to Council.

15. Minimum Floor Levels

The developer must ensure that habitable floor levels of the new units are a minimum height of 300mm above the flood inundation level from an Average Recurrence Interval (ARI) 50 year storm event.

The developer must submit documentation signed by an engineer (who must be an RPEQ) certifying that all habitable rooms obtain the above flood immunity.

Advisory Note: In terms of applying consistency, Council would prefer that all floor levels are built to a minimum height of 450mm above the 1 in 50 year storm/tide event.

16. Soil Erosion Minimisation, Sediment Control and Dust Control

During the construction phase of this development the developer must be responsible for the installation and maintenance of adequate erosion and sediment control management. In particular,

- a) The contingent design, implementation and maintenance of measures must be provided in accordance with *City Plan Policy 2 – Development Standards*.
- b) During the construction and maintenance phases of this development the developer must be responsible for adequate mitigation measures being put in place for the suppression of dust so as not to cause a nuisance to neighbouring property.

17. Landscaping

- a) Prior to any works commencing on site, a landscaping plan is required to be submitted to and be approved by Council as part of Compliance Assessment against the applicable Landscaping Code and/or relevant approval.

The Landscape and Irrigation Design Plans must be prepared in accordance with the relevant sections of *City Plan Policy 1 – Supporting Information - Section 9 – Landscape Plans*. As part of the landscaping plan the following items are to be included:

- The footpath/road reserve along Caroline Street to be turfed and provided with automated irrigation.
 - Existing street trees are to be shown on the landscape plans. Where no street tree is present in the site road reserve, a single street tree is to be planted. The prescribed species for Caroline Street is *Cupaniopsis anacardioides*.
 - Details showing shade tree to the south-western corner of the site.
- b) The landscape plans must be prepared by a suitably Qualified person who:
 - is a Qualified Landscape Architect with current membership to the Australian Institute of Landscape Architects; and/or
 - is an experienced Landscape Designer

- c) All works must be completed in accordance with the approved landscaping plan and constructed to a standard detailed within *City Plan Policy 2 – Development Standards – Section 10 – Landscape Work*. Following the approval of the plan, with or without amendments, the developer must implement the plan prior to the commencement of the use. Furthermore, all landscaped areas must be maintained thereafter to the satisfaction of Council.

18. Existing Street Trees

The existing street trees located within the road reserve must not be damaged, removed, destroyed or lopped without the written consent of Council first being obtained.

19. Vegetation Disposal

All felled trees and waste vegetation on the site must be removed from site, unless an alternative method of disposal, such as wood chipping, is approved by Council. This material must be transported to the nearest approved waste disposal facility. Burning or burying of waste vegetation on site is not permitted.

20. Water Connections

Each unit must be exclusively serviced by its own water supply sub-meter. The water sub-meters must connect to a master water supply meter.

21. Sewer Connections

The developer must submit a sewer design to Council for Compliance Assessment. This design must show that all property connection sewers are located outside the area of buildings.

22. Roadworks and Traffic

- a) The developer must replace the existing vehicle access(es) including the crossover(s) in the kerb and channel, in accordance with Council's Standard Drawing for *Driveway Access – Urban Residential Properties*.
- b) During the construction phase, any damages to the road reserve (i.e. footpath/kerb and channel) must be replaced by the developer in accordance with Council's standards.

23. Further Approvals Required

- a) **Compliance Assessment**
A Compliance Assessment associated with the following conditions must be submitted to Council for approval prior to the issue of a Development Permit for Building Works, unless otherwise approved by Council:

Condition 3 – Building Materials, Colours and Enhancements
Condition 13 – Stormwater Drainage
Condition 17 – Landscaping
Condition 21 – Sewer Connections

All engineering and landscaping designs/documentation associated with such an application must be prepared and where necessary, certified by a suitably qualified/experienced person.

- b) **Plumbing and Drainage Works**
The developer must obtain a Development Permit to carry out plumbing and drainage works prior to the commencement of sanitary drainage works.

ADVICE

1. Infrastructure Charges

An Adopted Infrastructure Charges Notice outlining the estimated infrastructure contributions payable relevant to the Development Permit is attached for your information.

2. Waste Collection

All residential waste is required to be collected by Council.

3. Connection to Council Water Supply

A copy of this permit and the approved water reticulation design must be submitted to Council connection to Council's water supply. Council will respond to the application with a quotation for the work and upon payment will schedule the works for connection.

4. Connection to Council Sewer

A copy of this permit and the approved sewer reticulation design must be submitted to Council for connection to Council's sewer supply. Council will respond to the application with a quotation for the work and upon payment will schedule the works for connection.

5. Noise

The hours of audible noise associated with construction and building work on site must be limited to between the hours of–

- * 6.30 a.m. to 6.30 p.m. Monday to Saturday; with
- * No work on Sundays or Public Holidays.

6. Environmental Considerations

DERM Requirements

Construction must comply with the *Environmental Protection Act 1994*, Policies and Guidelines.

7. Roadworks Approval

The developer is responsible for obtaining a Roadworks approval in accordance with Local Laws 4 for the installation of any hoardings, gantries or temporary road closures of the footpath or road prior to the commencement of works. The application must indicate the following:

- i. Completed Roadworks approval application form
- ii. Prescribed fee
- iii. Traffic Management Plan prepared by a suitably qualified traffic professional detailing the traffic management measures put in place to manage all Roadworks including pedestrians, cyclists and vehicles in accordance with the Manual of Uniform Traffic Control Devices Part 3 – Works on Roads.

If the works require closure of part of the road reserve, a temporary Road Closure Permit will be required. This permit allows for a section of road reserve to be closed for the purpose of works. The Queensland Police Service is the issuing authority for these permits. An application will need to be made to Council for a letter of no objection prior to applying to the Queensland Police Service for the permit. The Traffic Management Plan will need to be included with the application to Council.

Council Decision

It was MOVED by Councillor V Veitch, SECONDED by Councillor A Parsons:

That the officer's recommendation be adopted.

CARRIED UNANIMOUSLY

3 M12/0049 MCU (Impact) Multiple Dwelling (48 Units) - Staged Development 20-26 Boulton Crescent, Burdell

REPORT TO COUNCIL - PLANNING APPLICATION

Authorised by Director Planning and Development
Department Development Assessment
Date 9 January 2012, 2013

Address 20-42 Boulton Crescent, Burdell
Applicant/Owner Pacific Outlook Pty Ltd C/- Wolter Rowlands Town Planning Group
Description Multiple Dwelling (48 x 3 Bedroom Home Units) – Staged Development

Executive Summary

A Development Application for Material Change of Use (Impact) – Multiple Dwelling (48 x 3 Bedroom Home Units) – Staged Development on Lot 768 SP 221996 & Lot 781 SP 221996 & Lot 782 SP 221996 situated at 20-42 Boulton Crescent, Burdell has been received from Applicant >> Pacific Outlook Pty Ltd C/- Wolter Rowlands Town Planning Group – M12/0049 10939021 and has been recommended for **Approval**.

Officer's Recommendation

That council approve application M12/0049 for a development permit for Multiple Dwelling (48 x 3 Bedroom Home Units) – Staged Development under section 243 of the *Sustainable Planning Act 2009* on land described as Lot 768 SP 221996 & Lot 781 SP 221996 & Lot 782 SP 221996, more particularly 20-42 Boulton Crescent, Burdell subject to the following conditions:

DEVELOPMENT PERMIT

**MATERIAL CHANGE OF USE
 MULTIPLE DWELLING (48 X 3 BEDROOM HOME UNITS)**

SCHEDULE OF CONDITIONS

1. Site Layout

- a) The proposed development must generally comply with drawing(s) as referenced in the table below and attached as stamped “Approved Subject to Conditions”, except as otherwise specified by any condition of this approval.

DRAWING NAME	DRAWING NO.	REVISION No.	SUBMITTED & DATE STAMPED DATE
Site Plan (Staging Plan)	1	DA10	28 November 2012
Open Space Plan	2	DA10	28 November 2012
Private Open Space Plan	3	DA07	28 November 2012
Site Cover & GFA	4	DA10	28 November 2012
Internal Streetscape	5	DA10	7 January 2013
External Streetscapes	6	DA07	28 November 2012
Internal NW Streetscapes	7	DA10	7 January 2013
Internal SW Streetscapes	8	DA10	28 November 2012
Boulton Court Streetscapes	9	DA10	28 November 2012
Boulton Court Streetscapes	10	DA10	28 November 2012
North Shore Drive Streetscapes	11	DA07	28 November 2012

North Shore Drive Streetscapes	12	DA10	28 November 2012
Lady Musgrave & Burdell Streetscapes	13	DA10	28 November 2012
External 3d	14	DA10	28 November 2012
Internal 3d	15	DA10	28 November 2012
Corner Entry Feature	16	DA10	7 January 2013
Southport Standard - Block A & B	17	DA10	28 November 2012
Capri Standard - Block C	18	DA09	28 November 2012
Southport Manager - Block D	19	DA10	28 November 2012
Capri Vouge X 3 - Block E, I, N	20	DA10	28 November 2012
Cooloongatta Gable - Block F	21	DA09	28 November 2012
Southport X 4 - Block G, H, M, J	22	DA10	28 November 2012
Capri Standard - Block K	23	DA10	28 November 2012
Capri Broadwater - Block L	24	DA10	28 November 2012
Pool Amenities	25	DA10	28 November 2012
Noise Impact Assessment prepared by MWA Environmental	L21909/BH/03-166	-	2 July 2009 (issue dated)
Acoustic Report prepared by Acoustic Works	2012133 R02 Boult Ct Townsville RTN.doc	-	14 August 2012 (issue dated)

- b) The proposed development must comply with all conditions of this approval prior to commencement of the use.
- c) The proposed development must comply with all requirements of the North Shore Plan of Development as applying at the date of this application, except as otherwise specified by any condition of this approval.
- d) The proposed development must be constructed in accordance with the approved staging plan referenced above.
- e) The Noise Impact Assessment prepared by MWA Environmental was approved under Negotiated Decision Notice RC09/0009 for recommended acoustic treatments to Stage 2C. The development must comply with the requirements of this report prior to the commencement of the use.
- f) The Acoustic Report prepared by Acoustic Works, dated 14 August 2012, recommends acoustic treatments to the built form and the acoustic fencing along North Shore Boulevard. The development must comply with the requirements of this report prior to the commencement of the use.

Note: should there be any inconsistencies between the Noise Impact Assessment and the Acoustic Report, the Acoustic Report prevails.

2. Amalgamation of Allotments

The developer must amalgamate Lot 768 SP221996, Lot 781 SP221996 and Lot 782 SP221996 into a single parcel. The survey plan must be registered, in accordance with the *Land Title Act 1994*, prior to the commencement of the use.

3. Building Materials

- a) Prior to the issue of a Development Permit for Building Work, the developer must submit to, and be approved in writing by Council details of the external building materials and colours to be used as part of this development. In particular all buildings and structures associated with the use must be constructed from materials and painted an appropriate colour that is sympathetic to the surrounding built form, does not cause excessive glare and achieves a high level of visual integration with the surrounding environment.
- b) Any upper level acoustic treatment for (2) storey buildings must be carried out to achieve the design limit specified in *AS/NZS 2107:2000*.
- c) All buildings associated with this development must be constructed in accordance with the requirements of the approved Acoustic Report prepared by Acoustic Works and dated 14 August 2012, unless otherwise approved by council.

4. Street and Acoustic Fencing

The developer must submit to Council for approval, fencing details prior to the issue of a Development Permit for Building Works, in particular:

- a) The acoustic fencing to be provided along North Shore Boulevard must comply with the approved Noise Impact Assessment prepared by MWA Environmental dated 02 July 2009 and Acoustic Report prepared by Acoustic Works dated 14 August 2012, unless otherwise approved by Council.
- b) The developer must provide certification by a suitably qualified person that the development complies with the above Noise Impact Assessment and Acoustic Report.
- c) Direct pedestrian access is not permitted to North Shore Boulevard apart from the approved pedestrian connection point to the north-western corner of Lot 782 SP221996.
- d) Street fencing to be constructed along the North Shore Boulevard frontage must allow the development to integrate with its streetscape. Landscaping may be required in order to achieve this.
- e) Street fencing must be finished in colours and materials sympathetic to the development and surrounding environment.

Note: The 1.8m high timber paling fence proposed along Boulton Crescent is not approved. Should the developer construct a fence along this road frontage, further details are required to be submitted.

5. Visual Screen

Prior to the issue of a Development Permit for Building Works, the developer must submit to Council for approval plans showing the following:

The provision of any of the following, to prevent overlooking into habitable room windows of dwellings and any balconies located on adjoining properties from windows (except bedroom windows) and/or balconies above ground level:

- * Fixed obscure glazing in any part of the window below 1.5 metres above floor level; OR
- * Fixed external screens; OR
- * Sill heights of 1.5 metres above floor level, or alternative measure for Council's consideration; OR
- * Alternative measures for Council's consideration.

6. Storage of Materials and Machinery

All materials and machinery to be used during the construction period are to be wholly stored on the site, unless otherwise approved by Council.

7. Lighting

- a) The developer must ensure all internal and external lighting is fitted with shades and erected in a manner that ensures that adjoining premises and roads are not affected.
- b) External lighting of a graduated intensity must be provided which starts at a lower level of brightness at the perimeter of the site and rises to a crescendo of light at the entrance to buildings.

8. Property Numbering

Effective property numbers must be erected at the premises prior to the commencement of the use and be maintained to the satisfaction of the Council.

The site identification numbers should be of reflective material, maintained free from foliage and other obstructions, and be large enough to be read from the street.

9. Drying Facilities

The developer must provide adequate clothes drying facilities. Where applicable, clothes drying facilities must be screened from any street or adjacent property.

10. Letterboxes

The developer must ensure the location of the letter boxes on site is sufficient to cater for the units and is designed in such a way that enhances community safety through discouraging crime and anti-social behaviour.

Note: A body corporate letterbox will be required where units will be strata titled.

11. Screening of Plant and Utilities

- a) Plant and utilities including air-conditioners must not be located on balconies or patio areas and must not be visible from the street. The developer must submit a plan identifying the location of all plant and utilities and details of aesthetic screens. Details must be submitted to and approved by Council prior to the issue of a Development Permit for Building Works.
- b) The aesthetic screens must be installed prior to the commencement of the use and must be maintained thereafter to the satisfaction of Council.

12. Refuse Facilities

Refuse collection arrangements must be provided by the developer so as to achieve the requirements of section 15.2 - Development Standards, Transitional Planning Scheme. In particular:

- a) Bulk refuse facilities are applicable to this development due to the number of units associated with the development and lack of on-street access for collection of mobile garbage (wheelie) bins. The bulk refuse facility must be:
 - * a suitable enclosure with concrete slab floor, with dimensions which exceed the size of the nominated bin size by at least 300mm at the rear and both sides and 600mm at the front;
 - * within the curtilage of the premises in an accessible location to receive the service;

- * graded and drained through an approved sediment/silt trap to a legal sewer connection;
 - * provided with a hose cock and hose in close proximity to the enclosure;
 - * enclosure must be screened and not visible from any street frontage.
- b) The minimum overhead clearance required for refuse collection is 6500mm. Access for the collection of bulk bins is not to be impeded by any over head obstructions such as trees, wires or other structures. This minimum height clearance is to be maintained at all times.
- c) Internal access roads and driveways must be designed and constructed to accept vehicle loadings of not less than G.V.M. 33 tonnes.
- d) All dedicated refuse collection areas are to be kept clear at all times. Adequate signage must be erected to reflect this.

13. Relocation of Utilities

The developer must be responsible for any relocation and/or alteration to any public utility installation required as a result of any works carried out in connection with this development at no cost to Council.

14. Car Parking

- a) All car parking facilities, associated ramps and driveways must be constructed in accordance with Council Standards and as detailed in the latest amendment of the Australian/New Zealand Standard AS/NZ 2890 and must be maintained thereafter to the standard.
- b) The minimum car parking classifications for off-street car parking applicable to this development are as per Table 1.1 in AS/NZS 2890.
- c) The driveway, manoeuvring areas, car parking areas and paths must all be constructed of:
- * exposed aggregate concrete; or
 - * interlocking pavers; or
 - * other alternative aesthetically pleasing materials to be approved by Council prior to the issue of a Development Permit for Building Works.
- d) The layout of the on-site car parking spaces must be designed to ensure that all vehicles entering and leaving the site may do so in a forward direction.
- e) The developer must provide a minimum of ninety-five (95) car spaces (including the car wash bay) on site of which a minimum of twenty-four (24) spaces are required to be dedicated for visitor parking and must be made available at all times for such.
- Should it be the intent that the visitor spaces be provided behind a secured gate or barrier an intercom system or similar device must be provided to ensure public access to the visitor car parks.
- f) A minimum of one (1) dedicated car washing bay is to be provided on site prior to the commencement of the use. This area must not be used for visitor car parking. Details must be submitted to and approved by Council prior to the issue of a Development Permit for Building Works. The bay is to be designed and constructed in accordance with the following:
- * imperviously paved
 - * provided with a hose cock

- * graded to a central drain incorporating a silt trap
 - * fitted with a diversion valve which allows contaminated run-off to pass to a sewer or as approved by Council in writing.
- g) The developer must erect signage indicating the location of the entry and exits to the car parks, specific use bays (eg. visitor, disabled, bus, taxi, bicycle, loading, car wash bay etc.), as well as regulatory signs controlling movement within the car park.
- h) All signage and line marking for off-street car parking must comply with the requirements of AS/NZS2890 and AS1742 and associated standards.

15. Stormwater Drainage

Prior to the issue of a Development Permit for Building Works, certification by an appropriately qualified and experienced Registered Professional Engineer of Queensland (RPEQ) of the following requirements must be provided so as to achieve. In particular:

- a) The development site must be graded so that it is free draining. All runoff from storms naturally falling into this development site (including roof runoff) must be collected within the property boundaries and discharged to the lawful point of discharge being Boulton Crescent and/or North Shore Boulevard, or as agreed upon by Council.
- b) The developer must ensure that no ponding of stormwater occurs on adjacent allotments and that no stormwater formerly flowing onto their development site is diverted onto other neighbouring allotments.
- c) The developer must ensure that the post development discharge of stormwater from the subject land does not exceed pre-development peak flows.
- d) Overland flow paths and underground drainage must be designed so as not to directly or indirectly cause nuisance to a downstream or adjoining property.
- e) Any relocation of stormwater infrastructure must be done so at the cost of the developer and be in accordance with Council Development Specifications.
- f) Following the completion of any works for the purposes of stormwater drainage, a stormwater drainage certificate from a Registered Professional Engineer of Queensland (RPEQ) must be submitted to and endorsed by Council. The stormwater drainage certificate must verify that the completed stormwater works associated with the proposed use has been constructed in accordance with the approved design.
- g) All internal stormwater infrastructure (including stormwater quality infrastructure such as GPTs) must be privately owned and maintained by the developer.

16. Stormwater Quality Management

A MUSIC model must be submitted to and be approved by council prior to the issue of a Development Permit for Building Work.

The MUSIC model must confirm that the design is in accordance with the SQMP prepared by Cardno (Ref: 9580/04), as previously approved by council. All works must be carried out in accordance with council Development Specifications.

17. Sewerage Reticulation

The development must be serviced by the public sewerage network, in particular:

- a) The development must be provided with a single property service to be connected directly and separately to council's sewer.

- b) All new property connections must be made directly to manholes unless otherwise approved by council.
- c) The point of connection for the sewerage system to council's sewerage infrastructure including all necessary pump stations and rising mains must be to the nearest existing sewer manhole unless otherwise agreed to by council.
- d) All trafficable manholes must be deigned to 'Class D' standard.

18. Water Supply (Public System)

The development must be serviced by the public water supply. In particular,

- a) A reticulated water supply main must be provided for the full frontage of the proposed development and connected to council's infrastructure. The water supply must be constructed in accordance with the standard design plans of council and must meet both the maximum design flow and emergency fireflow conditions.
- b) A network analysis of the proposed development must be submitted to and approved by council to ensure that the reticulation network satisfies both the maximum hour design flow conditions and emergency fire flow conditions. It must be submitted with the application for Operational Works.
- c) At the developer's expense, the developer must extend the existing watermain along Boulton Crescent to connect to Lady Musgrave Circuit and Burdell Drive.

19. Soil Erosion Minimisation, Sediment Control and Dust Control

During the construction phase of this development the developer must be responsible for the installation and maintenance of adequate erosion and sediment control management. In particular,

- a) The contingent design, implementation and maintenance of measures must be provided in accordance with *Aus-Spec Specification - C211 Control of Erosion and Sedimentation*.
- b) During the construction and maintenance phases of this development the developer must be responsible for adequate mitigation measures being put in place for the suppression of dust so as not to cause a nuisance to neighbouring property.
- c) The developer must ensure that no sediment or litter be discharged from the site into stormwater. Stormwater inlet pits on and adjacent to the development in Boulton Crescent and North Shore Boulevard must be protected to prevent the entry of sediment and litter.

20. Landscaping

- a) Prior to any works commencing on site a landscaping plan is required to be submitted to and be approved by Council as part of Compliance Assessment against the applicable Landscaping Code and/or relevant approval.

The Landscape and Irrigation Design Plans must be prepared in accordance with the relevant sections of the North Shore Plan of Development and the Transitional Planning Scheme. As part of the landscaping plan the following items are to be included:

- * The footpath/road reserve along Boulton Crescent and North Shore Boulevard to be turfed and provided with automated irrigation where not already provided.
- * Details showing the site being extensively landscaped including a mixed height canopy using mature dense plantings to Council's satisfaction, in particular, the pool amenities area. In addition, a single medium sized tree should also be planted in every second courtyard.
- * All street trees present in the road reserve adjoining the site and the measures employed for the protection of these trees.

- * Details outlining the road reserve areas around the site that have Council landscape and irrigation assets. Information must be included regarding the protection of these TCC assets. Any damage must be remediated to the satisfaction of Council.
 - * The pathway fronting visitor parking bays 20 and 21 must provide continuous pedestrian connectivity to the internal network. VP 20 and 21 bays may need to relocate closer to the internal roadway to ensure this.
- b) The landscape plans must be prepared by a suitably Qualified person who:
- * is a Qualified Landscape Architect with current membership to the Australian Institute of Landscape Architects; and/or
 - * is an experienced Landscape Designer.
- c) All works must be completed in accordance with the approved landscaping plan and constructed to a standard detailed within the North Shore Plan of Development and the Transitional Planning Scheme. Following the approval of the plan, with or without amendments, the developer must implement the plan prior to the commencement of the use. Furthermore, all landscaped areas must be maintained thereafter to the satisfaction of Council.

21. Existing Street Trees

The existing street trees located within the road reserve must not be damaged, removed, destroyed or lopped without the written consent of Council first being obtained.

22. Roadworks and Traffic

- a) The developer must construct the new access driveway from the existing kerb and channel to the property boundary at the developer's expense generally in accordance with Council's relevant Standard Drawing for *Driveway Access and Driveway Crossover*.
- b) The developer must construct a 1.5 metre wide concrete footpath to the full frontage of the site along Boulton Crescent in accordance with Council's Standard Drawings.
- c) During the construction phase, any damages to the road reserve (i.e. footpath/kerb and channel) must be replaced by the developer in accordance with Council's Standards Drawings.
- d) The development must be generally in accordance with the entry and exit arrangements of the approved Building Envelopes and Driveway Access Layout Plans, drawing nos. 9580/18C-021-026, Sheets 1-6, to Stage 2C, unless otherwise approved by council.

23. Traffic Management

- a) The developer is responsible for all traffic management of the site. The contingent design, implementation and maintenance of traffic management measures during construction must be provided in accordance with Aus-Spec Development Construction Specification C201 (Control of Traffic).
- b) During the construction phase of the development all contractors' vehicles that are not able to be contained on site must only utilise space within the road reserve that directly fronts the subject allotment, unless otherwise approved by Council. Vehicles must not at any time obstruct footpath areas or sight lines within the vicinity of the development.
- c) All materials and machinery to be used during the construction period are to be wholly stored on the site unless otherwise agreed in writing by Council.

24. Further Approvals Required

- a) Compliance Assessment
All engineering and landscaping works associated with this development must be submitted to Council for approval prior to the issue of a Development Permit for Building Works, unless otherwise approved by Council.
- All engineering and landscaping designs/documentation associated with such an application must be prepared and where necessary, certified by a suitably qualified/experienced person.
- b) Plumbing and Drainage Works
The developer must obtain a Development Permit to carry out plumbing and drainage works prior to the commencement of sanitary drainage works.

ADVICE

1. Infrastructure Charges

An Adopted Infrastructure Charges Notice outlining the estimated infrastructure contributions payable relevant to the Development Permit is attached for your information.

2. Connection to Council Water Supply

A copy of this permit and the approved water reticulation design must be submitted to Council for connection to Council's water supply. Council will respond to the application with a quotation for the work and upon payment will schedule the works for connection.

3. Connection to Council Sewer

A copy of this permit and the approved sewer reticulation design must be submitted to Council for connection to Council's sewer supply. Council will respond to the application with a quotation for the work and upon payment will schedule the works for connection.

4. Noise

The hours of audible noise associated with construction and building work on site must be limited to between the hours of–

- * 6.30 a.m. to 6.30 p.m. Monday to Saturday; with
- * No work on Sundays or Public Holidays.

5. Environmental Considerations

DERM Requirements
Construction must comply with the *Environmental Protection Act 1994*, Policies and Guidelines.

6. Plumbing and Drainage Approval

A Compliance permit under the *Plumbing and Drainage Act 2002* to seal off disused sanitary drains and water lines must be obtained prior to the removal of the existing dwelling.

7. Building Over/Adjacent to Services

The developer is advised that the proposed building structures are over/adjacent to an existing sewer. In accordance with Council's Policy 324 – the applicant is to make an application to Council for consent under Section 191 of the *Water Supply (Safety and Reliability) Act 2008* for building over or adjacent to services.

Council Decision

It was MOVED by Councillor V Veitch, SECONDED by Councillor T Roberts:

That the officer's recommendation be adopted.

CARRIED UNANIMOUSLY

The Director Planning and Development advised the council that this approval had been sought and approved under the North Shore Plan of Development, a court ordered document that was secured under the 1996 Transitional Thuringowa Planning Scheme. As the North Shore Plan of Development is silent on parking, the parking requirements for this application default to the Planning Scheme under which it was secured. Under that Planning Scheme the parking requirement equates to 72 parking spaces (comprised of 48 residential and 24 visitor spaces). The applicant (Pacific Outlook Pty Ltd C/- Wolter Rowlands Town Planning Group) has provided for 95 parking spaces. Additionally, there is the capacity for residents to park in their driveways. Thus while the application doesn't strictly comply with current Thuringowa 2003 Planning Scheme it is close, and in excess of the amount required for in the scheme it was approved under.

(Under the Thuringowa 2003 Planning Scheme the parking requirement would have been 107 parking spaces.)

The Mayor requested the Director's comments be included in the official minutes for future reference.

4 MI12/0033 MCU-Impact 34-50 Lionel Turner Drive, Bushland Beach, Indoor Recreation (Gymnasium)

REPORT TO COUNCIL - PLANNING APPLICATION

Authorised by	Director Planning and Development
Department	Development Assessment
Date	29 October, 2012
Address	34-50 Lionel Turner Drive, Bushland Beach
Applicant/Owner	Brazier Motti/Townsville Earth Moving
Description	Material Change of Use – Indoor Recreation (Gymnasium)

Executive Summary

A Development Application for Material Change of Use (Impact) – Indoor Recreation (Gymnasium) on Lot 3 SP 218628 situated at 34-50 Lionel Turner Drive, Bushland Beach has been received from Application >> Brazier Motti – MI12/0033 11057034 and has been recommended for **Refusal**.

Officer's Recommendation

That council **refuse** application MI12/0033 for a development permit for Indoor Recreation - Gymnasium under section 243 of the *Sustainable Planning Act 2009* on land described as Lot 3 SP 218628, more particularly 34-50 Lionel Turner Drive, Bushland Beach, subject to the following grounds-

1. The proposed development is not considered to comply with Part 2 - Desired Environmental Outcomes (DEOs) and City Strategies contained in City of Thuringowa Planning Scheme, specifically: DEO 2 and City Strategies 2.2.2 (b), (c) and (d) relating to Environment Quality; DEO 4 and City Strategies 2.4.2(a), (b)(i), (iii), (iv), (v) relating to Character, City Image, Amenity and Lifestyle; DEO 5 and City Strategies 2.5.2 (a), (b)(i) and (v) relating to Economy; DEO 6 and City Strategies 2.6.2 (a) and (c) as prescribed below:

2.2 ENVIRONMENT QUALITY

2.2.1 DEO 2

The City's Life Support Systems are protected to maintain and enhance ecological and human health.

2.2.2. City Strategies

DEO 2 is intended to be achieved by-

- (b) *ensuring new development and infrastructure is designed, sited and constructed to maintain or improve environmental quality and minimise negative impacts on the environment by -*
 - (i) *minimising waste;*
 - (ii) *reusing and recycling water;*
 - (iii) *maintaining water quality, environmental flows and resources;*
 - (iv) *minimising air, artificial light and noise emissions; and*
 - (v) *embracing energy efficiency principles to achieve reduction in energy demands.*
- (c) *ensuring that the cumulative impacts of development are considered and managed.*

- (d) *providing a safe pattern of development that minimises the potential risk to people and property from -*
 - (i) *storm surge;*
 - (ii) *flooding;*
 - (iii) *steep and unstable land;*
 - (iv) *bushfire;*
 - (v) *acid sulfate soils;*
 - (vi) *salinity;*
 - (vii) *filling of premises with contaminated material; and*
 - (viii) *land degradation from erosion.*

2.4 CHARACTER, CITY IMAGE, AMENITY AND LIFESTYLE

2.4.1 DEO 4

The City's valuable features, built environment and land use pattern result in a distinct sense of place and local identity, and are vibrant, safe and healthy, with access to community and cultural facilities and services.

2.4.2 City Strategies

The City's valuable features, built environment and land use pattern result in a distinct sense of place and local identity, and are vibrant, safe and healthy, with access to community and cultural facilities and services.

- (a) *protecting or enhancing the City's natural and built environment as an integral part of the City's Landscape Character Types*
- (b) *reinforcing the City's character through effective siting and design and layout of development that -*
 - (i) *reflects community expectations;*
 - (iii) *reflects local and desired character;*
 - (iv) *enhances local identity and lifestyle;*
 - (v) *contributes to the formation of a sense of place;*

2.5 ECONOMY

2.5.1 DEO 5

Economic development in the City is strong, diversified, supports local employment and enhances quality of life.

2.5.2 City Strategies

DEO 5 is intended to be achieved by -

- (a) *protecting land and providing an adequate supply of land for employment generating development (at a local, regional, state or national scale) and the future expansion of employment generating land uses in designated locations.*
- (b) *creating an economic environment in the City that provides a range of economic development opportunities, access to employment and maintains community well-being and lifestyle by -*
 - (i) *facilitating the co-existence of economic activity with valuable features;*

- (v) *establishing and supporting a hierarchy of Centres and preventing ribbon development;*

2.6 LAND USE PATTERNS

2.6.1 DEO 6

The City's land use patterns create cohesive communities that balance economic, social and environmental considerations.

2.6.2 City Strategies

DEO 6 is intended to be achieved by -

- (a) *integrating new and existing development and providing a range of land uses that create cohesive, safe and sustainable communities.*
- (c) *protecting land from encroachment by incompatible development, promoting the co-location of compatible and complementary development and allowing development where need is demonstrated.*

2. The proposed development would result in an incompatible and inconsistent use in this locality, contrary to the Character Statement 3.5.1 (a)(i) and (ii), (b)(i), (iii) and (e) of the Residential Planning Area under part 3.5 of the City of Thuringowa Planning Scheme.

- (a) *At the Commencement Date, premises within the Residential Planning Area consisted of -*
 - (i) *Residential Development of varying scale and intensity; and*
 - (ii) *other development that may be inconsistent with the future intent for the Residential Planning Area described below.*
- (b) *The Residential Planning Area is intended for Residential Development that contributes to the amenity and landscape of the area. In particular -*
 - (i) *buildings and structures are sited to protect the residential amenity of adjoining premises and contribute to maintaining the residential landscape;*
 - (iii) *development is compatible with the residential landscape or has a nexus with Residential Development;*
- (e) *Development, other than Residential Development, is only located in the Residential Planning Area where that development is required to meet the needs of residents and will not detrimentally impact on residential amenity and the residential landscape.*

Council Decision

It was MOVED by Councillor A Parsons, SECONDED by Councillor V Veitch:

That the officer's recommendation be adopted.

CARRIED UNANIMOUSLY

5 Library Services - Expression of Interest for supply of Radio Frequency Identification

REPORT TO COUNCIL

Authorised by Director Community and Environmental Services
Department Library Services
Date 15 January 2013

Executive Summary

Townsville Library Services is seeking to implement a radio frequency identification (RFID) solution for its collection. The application of RFID to library services has been identified as a way of improving customer service, achieving productivity gains, aiding collection management, streamlining collection security and reducing the risk of some workplace health and safety issues.

To encourage market interest and to enable industry best practice feedback to be incorporated into tender documents, it is proposed to publicly call for expressions of interest for a radio frequency identification solution from which a short list of organisations will then be invited to submit a tender.

Officer's Recommendation

That council resolve that:

1. in accordance with *Section 228 (3) of the Local Government Regulations 2012*, council is satisfied that it is in the public interest to call for expressions of interest for a radio frequency identification solution for Townsville Library Services; and
2. that council invite expressions of interest for a radio frequency identification solution for Townsville Library Services.

Council Decision

It was MOVED by Councillor G Eddiehausen, SECONDED by Councillor V Veitch:

That the officer's recommendation be adopted.

CARRIED UNANIMOUSLY

6 Corporate Governance - Code of Meeting Practice

REPORT TO COUNCIL

Authorised by Director Corporate Services
Prepared by Manager Governance
Department Corporate Governance
Date 14 January 2013

Executive Summary

The *Local Government Act 2009* was amended in November 2012 and the *Local Government Regulations 2012* were introduced in December 2012. The Code of Meeting Practice was adopted by council on 16 May 2012 and has now been revised in light of the legislative changes. The attached Code of Meeting Practice, as amended shows the proposed changes highlighted in red and includes some minor re-wording and an update of the relevant section numbers.

Officer's Recommendation

That the Code of Meeting Practice, as amended, be adopted by council.

Council Decision

It was MOVED by Councillor J Lane, SECONDED by Councillor C Doyle:

That the officer's recommendation be adopted.

CARRIED UNANIMOUSLY

The council requested that council promote the requirement for all recording devices brought to both Committee and Council meetings to be declared to the meeting Chair.

7 Budget Variance Report - Whole of Council - December 2012

REPORT TO COUNCIL

Authorised by Director Corporate Services
Department Finance
Date 14 January 2013

Executive Summary

On behalf of the Chief Executive Officer, the Executive Manager Finance will present and discuss the Budget Variance Report for the whole of council for December 2012, pursuant to section 204 of the *Local Government Regulation 2012*.

The Executive Manager will circulate separately to the Agenda the Budget Variance Report for the whole of council for December 2012.

Officer's Recommendation

1. That council note the financial report for December 2012 and budget variance explanations, pursuant to section 204 of the *Local Government Regulation 2012*.
2. That council note:
 - a) That in order to more fully describe certain items of expenditure, the Adopted Budget 2012/13 in the Budget Variance Report does not correspond on a line-by-line basis to the Budgeted Financial Statements 2012/13 (Alternate) - Statement of Income and Expenditure, adopted by Council on 10 August 2012, the differences being:

Line	Budgeted Financial Statements 2012/13	Budget Variance Report	Difference	Explanation
	\$000	\$000	\$000	\$000
Materials & Services	140,049	142,049	2,000	<u>Transfers in:</u> 1,896 – Donations, transferred from Other Expenditure 104 - Bank fees, transferred from Finance costs
Finance costs	23,736	26,157	2,421	<u>Transfers in:</u> 426 - Loan admin fee, transferred from Other Expenditure 2,113 - Unwinding of discount on provisions, transferred from Other Expenditure <u>Transfers out:</u> 104 - Bank fees, transferred to Materials and Services 14 - Bad and doubtful debts, transferred to Other Expenditure

Other Expenditure	6,523	2,102	(4,421)	<u>Transfers out:</u> 1,896 – Donations, transferred to Materials and Services 426 - Loan Admin fee, transferred to Finance Costs 2,113 - Unwinding discount on provisions, transferred to Finance Costs <u>Transfers in:</u> 14 - Bad and doubtful debts, transferred from Finance Costs
Total			0	

- b) That the differences to these line items do not affect the budget bottom-line; and
- c) That there have been similar deviations in the 2010/11 and 2011/12 years.

Council Decision

It was MOVED by Councillor L Walker, SECONDED by Councillor J Lane:

- 1. That council note the financial report for December 2012 and budget variance explanations, pursuant to section 204 of the *Local Government Regulation 2012*.
- 2. That council note:
 - a) That in order to more fully describe certain items of expenditure, the Adopted Budget 2012/13 in the Budget Variance Report does not correspond on a line-by-line basis to the Budgeted Financial Statements 2012/13 (Alternate) - Statement of Income and Expenditure, adopted by Council on 10 August 2012, the differences being:

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				14 - Bad and doubtful debts, transferred to Other Expenditure
Other Expenditure	6,523	2,102	(4,421)	<u>Transfers out:</u> 1,896 – Donations, transferred to Materials and Services 426 - Loan Admin fee, transferred to Finance Costs 2,113 - Unwinding discount on provisions, transferred to Finance Costs <u>Transfers in:</u> 14 - Bad and doubtful debts, transferred from Finance Costs
Total			0	

- b) That the differences to these line items do not affect the budget bottom-line; and
- c) That there have been similar deviations in the 2010/11 and 2011/12 years.

CARRIED

The Mayor advised that she does not accept the explanations offered for the differences and would be seeking further clarification of several of the explanations from the Auditor General.

8 Corporate Governance - Audit Committee Minutes - 11 December 2012

REPORT TO COUNCIL

Authorised by Director Corporate Services
Department Corporate Governance
Date 14 January 2013

Executive Summary

Please find the minutes of the Audit Committee meeting held on 11 December 2012 attached to the agenda item.

Officer's Recommendation

That council receive the minutes of the Audit Committee meeting held on 11 December 2012.

Council Decision

It was MOVED by Councillor J Lane, SECONDED by Councillor C Doyle:

That the officer's recommendation be adopted.

CARRIED UNANIMOUSLY

9 Corporate Governance - 2nd Local Government Finance Summit

REPORT TO COUNCIL

Authorised by Director Corporate Services
Department Corporate Governance
Date 14 January 2013

Executive Summary

The 2nd Local Government Finance Summit will be held in Brisbane 8 – 9 April 2013. The Summit provides professional development opportunities for mayors, councillors and senior executives. The program covers what the next state budget will mean for council, how to better manage costs, how to determine budget priorities and to equip council with information and strategies to enter budget deliberations.

Officer's Recommendation

1. That council approve the attendance of the Mayor, Councillor J Hill to attend the 2nd Local Government Finance Summit at Brisbane 8 – 9 April 2013.
2. That in accordance with section 162(1)(e) of the *Local Government Act 2009* leave of absence be granted to the Mayor, Councillor J Hill to allow attendance at the 2nd Local Government Finance Summit.

Council Decision

It was MOVED by Councillor V Veitch, SECONDED by Councillor J Lane:

1. That council approve the attendance of the Mayor, Councillor J Hill and one other councillor to attend the 2nd Local Government Finance Summit at Brisbane 8 – 9 April 2013.
2. That in accordance with section 162(1)(e) of the *Local Government Act 2009* leave of absence be granted to the Mayor, Councillor J Hill and one other councillor to allow attendance at the 2nd Local Government Finance Summit.

CARRIED

It was MOVED by Councillor V Veitch, SECONDED by Councillor P Ernst:

"that the Council RESOLVE to close the meeting in accordance with Section 275(1)(c,e and f) of the *Local Government Regulation 2012* which permits the meeting to be closed to the public for business relating to the following:

- (e) contracts proposed to be made by it (item 10)
- (c) the local government's budget (item 11)
- (f) starting or Defending legal proceedings involving the local government (item 11)"

CARRIED UNANIMOUSLY

The council discussed the items.

It was MOVED by Councillor V Veitch, SECONDED by Councillor P Ernst:

"that the Council RESOLVE to open the meeting".

CARRIED

Confidential Items

10 Property Services - Approved Contractor List for Lawn Mowing Services

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director Infrastructure Services
Department Property Services (Home Services)
Date 8 January 2013

Executive Summary

Council has committed to continue to provide a lawn mowing service for eligible elderly and disabled residents. This service is provided to eligible residents by using a voucher system whereby a voucher or a number of vouchers is used to subsidise the cost of basic yard maintenance.

Council provide an 'Approved Contractor List for Lawn Mowing Services' to eligible residents for which they select a contractor. The 'Approved Contractor List for Lawn Mowing Services' has had appropriate police and safety checks completed and hold relevant certification.

This report outlines the tenderers received and council's recommendation for the approved list for 2012/2013.

Officer's Recommendation

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 171 and 200 (9) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That council appoint the following contractors to the "Approved Contractor List for Lawn Mowing Services":
 - a. Mad Cow Mowing Pty Ltd - T/A Magnetic Island Home & Garden;
 - b. Brett Beale;
 - c. Advanced Property Maintenance;
 - d. McDonald Horticulture;
 - e. Pure Magic Domestic & Commercial Services;
 - f. Tropical Lawns and Property Care;
 - g. Tropical Lawns & Garden Care; and
 - h. Gaz's Mowing.

Council Decision

It was MOVED by Councillor T Roberts, SECONDED by Councillor C Doyle:

That the officer's recommendation be adopted.

CARRIED UNANIMOUSLY

11 Corporate Governance - Audit Committee Report - 11 December 2012

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director Corporate Services
Department Corporate Governance
Date 19 December 2012

Executive Summary

Please find the Corporate Governance reports from the Audit Committee meeting held on 11 December 2012 attached to the agenda item.

Officer's Recommendation

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 171 and 200 (9) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That council receive the Corporate Governance reports from the Audit Committee meeting held on 11 December 2012 relative to the Queensland Audit Office Report.

Council Decision

It was **MOVED** by Councillor J Lane, **SECONDED** by Councillor V Veitch:

That the officer's recommendation be adopted.

CARRIED UNANIMOUSLY

Motions of which previous notice has been given

There were no motions.

General Business

1. Public Records Review Committee

GENERAL BUSINESS ITEM

Raised by	Councillor J Lane
Committee	Ordinary Council
Date	22 January 2013

Councillor J Lane advised the council she had been appointed to the state government Public Records Review Committee, and that all travel costs associated with this appointment would be covered by the Public Records Review Committee. The Committee meets 3 to 4 times per year. Councillor Lane requested that leave of absence be granted for her to attend all future meetings of this committee.

Council Decision

It was MOVED by Councillor L Walker, SECONDED by Councillor A Parsons:

“That in accordance with section 162(1)(e) of the *Local Government Act 2009* leave of absence be granted to Councillor J Lane to allow attendance at all future Public Records Review Committee meetings.

CARRIED

2. Expression of Appreciation

GENERAL BUSINESS ITEM

Raised by	Councillor L Walker
Committee	Ordinary Council
Date	22 January 2013

Councillor Les Walker thanked the council staff on behalf of himself and residents for their work securing the old Railway Bridge (next to Rooney's Bridge, Ooonorba Park).

3. Request for Update Jezzine Barracks Redevelopment

GENERAL BUSINESS ITEM

Raised by	Councillor L Walker
Committee	Ordinary Council
Date	22 January 2013

Councillor Walker requested that a briefing be organised for the Councillors to update them on the Jezzine Barrack Redevelopment and any issues which have arisen or may arise. The Director advised that a workshop would be organised.

4. CCTV Issues

GENERAL BUSINESS ITEM

Raised by Councillor L Walker
Committee Ordinary Council
Date 22 January 2013

Councillor Les Walker raised the issue of funding and monitoring of CCTV in Townsville. Councillor G Eddiehausen as Chair of the Healthy and Safe City Committee advised that meetings were being held to discuss this issue and that he would report any developments back to the councillors.

4. Need for a Local Police Call Centre

GENERAL BUSINESS ITEM

Raised by Councillor V Veitch
Committee Ordinary Council
Date 22 January 2013

Cr V Veitch raised the matter of the 131444 police number, describing it as ineffective with excessive response times. The council agreed that a local police call centre was required. The Mayor advised she would raise this with the incoming Assistant Police Commissioner. The Mayor further advised that a call centre provider would be presenting a shared service model to council following the next council meeting.

5. Mayoral Directives

GENERAL BUSINESS ITEM

Raised by Councillor V Veitch
Committee Ordinary Council
Date 22 January 2013

The Deputy Mayor, Councillor Vern Veitch advised that following the changes in Local Government Act, where the requirement to have a register of Mayoral directives was removed, he would like to move that Townsville continue this register.

The following reasons were provided for this motion:

1. There was discussion on this matter by this council when considering the Local Government Amendment Bill and this matter was raised with the Minister when he last met with us.
2. Commentary to the Bill made it clear that any directives from the Mayor needed to be in accordance with council policy – so it is good governance to put in place a council policy on this matter.
3. It is good governance for the council to be aware of any directives from the Mayor to staff.
4. It is good governance for Directives to be in writing.

It was MOVED by Councillor V Veitch, SECONDED by Councillor T Roberts:

That a report be brought to the February 2013 Governance and Finance Committee meeting providing legal advice on the following motion:

‘That it be council policy that any directives issued by the Mayor to the Chief Executive Officer or to Directors in accordance with Section 12(4) of the Local Government Act 2009 must be in writing and be recorded in a register available for perusal by all Councillors before any action is taken on that directive.’

CARRIED

Councillors L Walker and C Doyle requested their vote against this motion be recorded.

6. Request for Inspection of Council Owned Waterslides

GENERAL BUSINESS ITEM	
Raised by	Councillor L Walker
Committee	Ordinary Council
Date	22 January 2013

Councillor Walker requested that an inspection of all council owned waterslides be organised for all interested councillors, and that a report on the state of the equipment be provided.

Close of Meeting

The Chair, Mayor J Hill declared the meeting closed at 10.24 am.

CONFIRMED this

day of

2013

**MAYOR
JENNY HILL**

**CHIEF EXECUTIVE OFFICER
RAY BURTON**